

REMARKS

Applicant has carefully reviewed the Office Action dated October 6, 2004. Claims 1-15 remain pending in this application. Applicant has amended Claim 1 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claim 1 stands rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed with respect to the amended claims.

The Examiner recites the language "all of the functionality to both scan and effect a connection is contained within said housing" as being unsupported in the Specification. The Applicant has amended the Claim to further clarify that the housing contains an optical reader for scanning a code and a processing device that "is operable to cause a data connection to be made to a location on the GCN through the web enabled wireless communication device. . . ." This language basically sets forth that the intelligence to make a web connection is provided in the housing. Therefore, all that is required for a user to gain this functionality is to attach the battery pack to the phone with this value added functionality. There is an optical bar code scanner provided that allows the bar code to be scanned and, once scanned, then a processing device in the housing is operable to interface with the data interface to the phone to facilitate connection to a location on the GCN. Applicant believes that the language as set forth in the amended Claim 1 more clearly sets forth the invention. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. §112 rejection with respect to Claim 1.

Claims 1-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Swartz et al.* in view of *Wilz, Sr. et al.* and further in view of *Rosen et al.* This rejection is respectfully traversed.

Swartz, as set forth in the prior response, is a reference that is directed toward a battery pack that contains an optical reader for the purpose of scanning an optical code and extracting information therefrom. A cellular phone is attached to the battery pack for the purpose of placing calls. The

AMENDMENT AND RESPONSE
S/N 09/627,197
Atty. Dkt. No. PHL-25,372

Best Available Copy

Examiner has noted that *Swartz* does not explicitly teach that the optical reader causes the connection to be made to the GCN through the wireless communication device. The Examiner relies upon the *Wilz* reference to support this aspect of his rejection. The *Wilz* reference does not cure the deficiency wherein the functionality of connecting to the GCN is contained within the housing. As set forth in the claims, the processing device is provided for receiving the information indicative of the information encoded within the optical indicia and utilizes this information to interface with the data connection capabilities of the cell phone for the purpose of effecting a connection to a remote location on the network. *Wilz* does not suggest such functionality being contained within the battery pack. The additional *Rosen* reference is nothing more than a bar code enabled phone to allow bar code information to be extracted and input to an application running on the phone. As such, Applicant believes that the combination of *Swartz*, *Wilz* and *Rosen* does not disclose the inclusion of the functionality of accessing a location on a Web site that is uniquely associated with a particular bar code, which functionality is contained in the battery pack housing. With the use of such a device as set forth in Applicant's claims, a self-contained battery pack and bar code scanner and processing device can be attached at the phone such that the phone has now been converted to a web enabled phone that is operable to access locations that are uniquely associated with particular bar codes. This requires that the processing device gain access through the use of the phone connection to the web certain data bases such as a resource server. Once accessed, information can be sent back to the processing device for the purpose of utilizing the phone connected to the web in order to connect to a location defined by an associative data base relationship in the resource server. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. §103 rejection with respect to Claims 1-5.

Claims 6-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Swartz et al.*, *Wilz, Sr. et al.* and *Rosen et al.* and further in view of *Friel et al.* This rejection is respectfully traversed.

The addition of the *Friel* reference does not cure the deficiencies noted above with respect to Claim 1, from which Claims 6-15 depend. Therefore, based upon the arguments noted herein above with respect to the combination of *Swartz*, *Wils, Sr. et al.* and *Rosen, et al.*, the withdrawal of this rejection is respectfully requested.

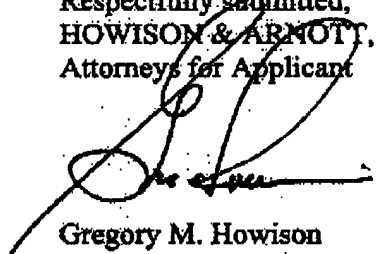
AMENDMENT AND RESPONSE
S/N 09/627,197
Atty. Dkt. No. PHL-25,372

8

The Examiner asked that Applicant provide reference to the Specification with respect to the functionality that allows the battery pack to make such a connection. Claim 1 sets forth that a processing device is provided. This basically comprises the processor (3919) illustrated in Figure 40 which interfaces with the optical system (3914) and has a decoder (3916) contained therein. This processor (3919) is interfaceable to the data interface (3810) such that it can interface with the web enable access portion of the phone. As such, Applicant believes that the functionality in the battery pack is clearly set forth with respect to the use of the processor (3919).

Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-25,372 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
HOWISON & ARNOTT, L.L.P.
Attorneys for Applicant



Gregory M. Howison
Registration No. 30,646

GMH/yoc:cr

P.O. Box 741715
Dallas, Texas 75374-1715
Tel: 972-479-0462
Fax: 972-479-0464
January 5, 2005

AMENDMENT AND RESPONSE
S/N 09/627.197
Atty. Dkt. No. PHLY-25,372

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.